

Amendments to the Specification:

Please replace paragraph [22] with the following amended paragraph:

[22] Referring to Figure 2, the method includes applying an abrasive surface coupled to a moving member against both an extended nail portion 201 and a surrounding epidermal tissue portion 203 to cause a grinding action on the extended nail portion. The abrasive surface is coupled to the moving member being driven by an electric drive device coupled to the moving member. The abrasive surface applied to both the extended nail portion and the surrounding epidermal tissue portion is characterized by a predetermined speed, a predetermined action, and a selected texture to remove the nail portion by the grinding action while maintaining the surrounding epidermal tissue substantially free from any physical damage. The predetermined speed is a constant, variable, or a variable dependent upon a force. Preferably, the surrounding epidermal tissue contacts an abrasive surface of the moving member and moves with an action of the abrasive surface, which does not cut or tear the tissue. Once the extended nail has been removed, the moving member is also moved away 300 from the finger, as illustrated by way of Figure 3. As shown, the moving member has generally been applied at an angle that is substantially normal to the protruding finger nail. In a specific embodiment, such angle may deviate to about 60 degrees from the normal position. As also shown, the moving member extends away 301 from the portion to be held by the hand.

Please add the following new paragraphs after paragraph [21]:

[21.1] Continuing to refer to Figure 1, the apparatus 101 may have an oscillating surface 120 (discussed in greater detail below). The oscillating surface 120 preferably includes a replaceable filing pad 122, permitting the user to replace worn abrasive surface pads. The hand held member 105 may be easy to grip and have a smooth surface 124 which is safe for the user or child to grasp. The hand held member 105 is completely portable having its own power supply. The power supply preferably a battery is replaceable through a battery door 126, located on the lower portion of the hand held member 105.

[21.2] As is well known in the art, when two materials rub together, the induced stresses and the material properties, such as toughness, are factors that affect the abrasive wear, which in the present invention is filing of nails. Since the fingernail is thinner and more rigid than the fingertip, higher pressure and stress is induced between the file and the nail. Consequently, the nail is removed quickly.

However, the broad and flexible fingertip can stretch and move away from the oscillating file thus reducing the pressure and wear of the person's skin.

[21.3] The abrasive surface is applied to both the portion of the nail and the surrounding epidermal tissue at a predetermined force without causing damage to the epidermal tissue. The force ranging from an upper end to a lower end, and the upper end being hundreds of times that of the lower end; the predetermined force is selected by a user. The predetermined force at the upper end stops the moving member because the predetermined force has exceeds the force moving the oscillating surface 120.

Please add the following new paragraph after paragraph [24]:

[24.1] The abrasive surface 508 may be made from a material with a grit from about 50 to 15,000.

Please add the following new paragraph after paragraph [26]:

[26.1] Continuing to refer to Figure 7, the transfer member 505 for which the motion produced by the electric drive device 504 is transferred to produce oscillating, lateral, or orbital movements is well known in the mechanical arts. For example, to produce oscillating motion, a reciprocating motor or a worm gear which transfers its motion through a crown gear may be used (i.e. US Patent 4,117,854); to produce lateral motion a motor may rotate a gear train that lateral moves an support level, which in turn is secured to the movable head 509 (i.e. US Patents 4,408,623; 5,759,093; or 5,033,485); to produce oscillating motion, the motor may rotate an axle which is secured to the movable head 509 at a position away from the center axis of the movable head (i.e. US Patent 4,440,182). Moreover, the transfer member 505 may be designed for multiple motions which may be a combination of these movements.

Please replace the abstract with the new abstract on the Following separate Page.